

Eades, Cassaundra

From: Janifer, Pamela
Sent: Monday, May 09, 2016 2:27 PM
To: Eades, Cassaundra; Mims, Kathy
Subject: Senator Capito inquiry
Attachments: Workflow Related Mail Incoming Attachment 834726 6195398 (b) (6) epa.pdf

Ladies, please login to CMS. Assign to R3 as lead, cc: OW, OLEM, OECA
Subject: Koppers Industries Green Spring Cleanup. Thank you.



Pamela Janifer
U.S. Environmental Protection Agency
Office of Congressional Affairs
1200 Pennsylvania Avenue, N.W.
Washington, D.C. 20460
202.564.6969
Janifer.pamela@epa.gov

-- -- -- --

SHELLEY MOORE CAPITO
WEST VIRGINIA

COMMITTEES
APPROPRIATIONS
ENERGY AND
NATIONAL RESOURCES
ENVIRONMENT AND PUBLIC WORKS
RULES AND ADMINISTRATION

United States Senate
WASHINGTON, DC 20510

May 9, 2016

Dear Ms. Distefano,

I am writing on behalf of my constituent, who has contacted my office for assistance. Enclosed, for your review, is a copy of the information I received.

Any information or assistance that you can provide in this matter is deeply appreciated. Please mail any correspondence regarding this inquiry to my office at 300 Foxcroft Avenue, Suite 202A, Martinsburg, W.Va. 25401. You may also contact me by phone at (304) 262-9285 or by fax at (304) 262-9288.

Sincerely,



**Shelley Moore Capito
United States Senator**

SHELLEY MOORE
CAPITO
UNITED STATES SENATOR FOR WEST VIRGINIA

PRIVACY ACT RELEASE FORM

FIRST NAME: (b) (6)

LAST NAME: (b) (6)

DATE OF BIRTH: (b) (6)

SOCIAL SECURITY NO: (b) (6)

CELL PHONE: no reception

WORK PHONE: (b) (6)

EMAIL ADDRESS: (b) (6)

PLEASE DESCRIBE YOUR PROBLEM AND CURRENT STATUS OF YOUR ISSUE/CLAIM

AGENCY: USEPA/WV DEP
Region 3

CLAIM NO (If known): (b) (6)

Please use the back of this form if more space is necessary.

ARE WE AUTHORIZED TO DISCUSS YOUR CLAIM WITH ANYONE ELSE: YES ☒ NO ☐

IF YES: NAME AND RELATIONSHIP: WV State Regulators not really known

As required by (b) (6)

U.S. Senator Shelley Moore Capito to
problem stated above.

SIGNATURE: (b) (6)

DATE: 4/8/16

Please return this form to:

Senator Shelley Moore Capito
500 Virginia Street East
Suite 950
Charleston, West Virginia 25301

Attachment to Privacy Act Release Form

I bought land on the south branch of the Potomac River about 25 yr ago and moved to the Green Spring area 10 yr ago. Since coming to the vicinity, I have been concerned about the status and impact of the Koppers Site on the environment, particularly the Potomac River. I am a chemist retired from the US EPA and Dept of Energy with approximately 30 yr experience working across environmental projects around the country from Love Canal (EPA) to the Hanford and Fernald sites(DOE).

Over many years wandering the local neighborhood, I've noted extreme phenolic odors and other preservative/toxic materials. As a result, I and others in the area are concerned about environmental investigations and the apparent lack of public participation with the remediation and environmental status of the Koppers facility. Hampshire County generally, particularly Green Spring, is not affluent. Koppers in my 25 years in the area has been the only significant employer and the only one, excluding healthcare, that actually pays a living wage. Prior to closure activities at Koppers, actions threatening our challenged economy would not have been received well. Information on types, location, and severity of contaminants was not available to Regulators. Ground water, soil, and structural sampling avoided areas of potential concern.

During the same time frame the US EPA has attempted to maintain and improve Potomac River quality. This effort has caused problems for agricultural operations and local homeowners well beyond any environmental benefits. In this activity the "contaminant of concern" is sediment. This can be a significant Chesapeake Bay problem. However the concern is sediment levels. Sediment calculations are not high confidence measurements. As described in public meetings, they appear to be independent research projects conducted by multiple research centers with no basis for comparability or confidence. As an environmental scientist it appears indefensible that both State and Federal regulators did not adequately solicit public input on either the technical viability or operations of the project. Apparently, the EPA is forcing states to take action based on questionable endpoints for one study but walking away from toxic materials, e.g. chlorinated phenols and petroleum mixtures, known to be adjacent to the Potomac at the Koppers site.

My basic issues are the decision, status, and progress of remediation actions at the Koppers site on Railroad Street, Green Spring, WV, 26722. For approximately 100yr, this site treated railroad materials with generations of toxic preservatives on 98 acres adjacent to the Potomac River. Investigations here began in the early 1960s. During the initial investigations and later in the 1980s, Koppers was both vital to the community and unknown to regulators. Neither is currently true and historical information on previous practices and conditions is now available. Current remediation activities, e.g. multiple unsuccessful clean up actions over approximately 6 months, suggest the area and amounts of contamination were not accurately or adequately identified. Depending upon the contractual details, the owner will cease funding ineffective action, or the contractor won't work free. Both situations result in significant contamination left immediately adjacent to the Potomac River. Last fall I tried to identify/contact responsible regulators with WV and at the US EPA Region 4 Office. I was told actions were finalized and the authority to sign off lies with the US EPA, Region 4.

I have several questions:

1. Does the currently ineffective cleanup and potentially inaccurate assessment of contamination effect regulatory status?
2. Are regulators aware of these situations?
3. Does the currently questionable resolution allow public participation? If this occurred initially, it certainly wasn't widely known.

I am not sure of the final status of site closure but it is expected to occur prior to June. Based on the information Regulators likely have available, this may appear reasonable. However, areas of the site contaminated with petroleum products are not contained and summer heat increases the leakage from these areas not currently identified.

I would be happy to discuss the issues identified above and can provide additional information to either US EPA Region 3 or The West Virginia Department of Environmental Protection personnel depending on Regulatory responsibilities.

Thank you for your attention,

(b) (6)

[Redacted signature block]

contact

(b) (6)

[Redacted line]

(b) (6)

[Redacted line]

[Redacted block]

